

MILFORD PLANNING BOARD PUBLIC HEARING  
April 17, 2012 Board of Selectmen's Meeting Room, 6:30 PM

Present:

**Members:**

Janet Langdell, Chairperson  
Tom Sloan, Vice-Chairman  
Paul Amato  
Kathy Bauer  
Chris Beer  
Steve Duncanson  
Judy Plant

**Staff:**

Bill Parker, Community Development Director  
Shirley Wilson, Recording Secretary  
Zach Knowles, Videographer

Malia Olson, Perspective alternate member

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**PUBLIC HEARING – Milford Driveway Permit Regulations**

1. In accordance with NH RSA 675:7, the Planning Board will conduct a public hearing to discuss and adopt revisions to the Driveway Permit Regulations on Tuesday April 17, 2012, at 6:30 PM in the Board of Selectmen's Room at the Town Hall.

**MINUTES:**

2. Approval of minutes from the 03/20/12 meeting.

**NEW BUSINESS:**

3. **CRJ Properties, LLC dba Eco Stoneworks, LLC – Oak St – Map 43, Lot 18;** Public hearing for a waiver of site plan review in accordance with Development Regulations Article V, Section 5.020.  
(New Application)
4. **Richard LaBonte – 1 Nashua St – Map 26, Lot 156;** Public Hearing for compliance with the Nashua and Elm Streets Corridor District for proposed façade renovations.  
(New application)

**OTHER BUSINESS:**

5. **Ducal Development LLC – North River and Mont Vernon Roads – Map 8, Lot 52;** Discussion for senior housing units. (New application)

Chairperson Langdell called the meeting to order at 6:35PM. Chairperson Langdell then introduced the Board, explained the process for the public hearing and read the agenda.

**PUBLIC HEARING – Milford Driveway Permit Regulations**

In accordance with NH RSA 675:7, the Planning Board will conduct a public hearing to discuss and adopt revisions to the Driveway Permit Regulations on Tuesday April 17, 2012, at 6:30 PM in the Board of Selectmen's Room at the Town Hall.

Chairperson Langdell read the notice of hearing into the record and explained that the driveway regulations were previously updated in 2008 and are based on recommendations from Sarah Marchant and Rick Riendeau to bring some aspects up to best practices, to provide for the new Commerce and Community District approved at town meeting in March and to include non-residential access points.

P. Amato noted that the regulations were last revised in March, 2010. He then asked, except for the addition of non-residential access points, what were the main changes that took this document from five pages to thirteen pages? B. Parker said he didn't have the original version but what may have added additional pages is that there is now more clarification as far as the application and permitting process and there are additional appendixes with more construction details. P. Amato said it appears as though an applicant would have great difficulty getting a driveway permit without hiring an engineer and he has a problem with our regulations becoming so burdensome that a property owner has to hire an engineer to get a simple driveway permit. One of the design requirements states that a driveway can have no more than a 10% grade when many of the roads in town are well above that. This doesn't consider a half mile driveway and can any part of that distance be 10%? It is overly onerous on the town's population. Were we having a lot of problems with the current driveways that we needed to put all these additional regulations in place? The driveway regulations have gotten a lot more formal and he is not sure where the problem is? The Board needs to know what is different.

J. Langdell clarified that the Planning Board reviewed these revisions while Paul was away in Florida; we got red line copies and this Board went through all the changes. The 10% grade was approved with the last set of revisions. K. Bauer said there was much discussion with those previous revisions. J. Langdell said she didn't want the public to think that they just got this copy. In fact, the Planning Board reviewed these regulations in January and February with Sarah present and with feedback from Ricky Riendeau, our DPW Director. This was sent out last fall for interdepartmental review and then again in February/March for another round of interdepartmental review and we got no feedback at that point in time. The regulations did not go to public hearing because we were waiting on new diagrams. B. Parker said the new regulations don't have considerably more requirements, but this "one location" packet spells everything out for what is expected from property owners, home builders and developers, in one place. There are waiver provisions for common sense if the DPW Director feels the situation doesn't warrant a lot of the required specifications. J. Langdell said the question of waiverability within the rules came up in our discussions back in January.

Chairperson Langdell opened discussion to the public; there being none, the public portion of the hearing was closed. There was no further discussion from the Board.

C. Beer made a motion to adopt the new driveway regulations as presented. S. Duncanson seconded. K. Bauer, T. Sloan, J. Langdell, C. Beer, J. Plant and S. Duncanson voted in the affirmative with P. Amato voting in the negative. The motion carried 6-1.

**MINUTES:**

S. Duncanson made a motion to approve the minutes from the 3/20/12 meeting. C. Beer seconded. P. Amato and J. Plant abstained and all else in favor.

**NEW BUSINESS:**

**CRJ Properties, LLC dba Eco Stoneworks, LLC – Oak St - Map 43, Lot 18.** Public Hearing for a waiver of site plan review in accordance with Development Regulations Article V, Section 5.020.

*No abutters were present:*

Chairperson Langdell recognized:  
Josh Tannariello, Eco Stoneworks, LLC

J. Langdell read the notice into the record. B. Parker verified that the application was complete. C. Beer made a motion to accept the application. J. Plant seconded and all in favor. S. Wilson read the abutters list into the record.

J. Tannariello presented an existing conditions plan dated 9/22/11 and explained that Eco Stoneworks is seeking approval to move a 10' x 40' mobile office trailer from one location that was denied because it was within the setback to the front of the location at their facility at 64 Oak St. The site, zoned C-Commercial, has been utilized as a granite/stone fabrication facility for over a century, long preceding the adoption of both zoning (1970) and site plan regulations (1974). On October 6, 2011 the Zoning Board of Adjustment granted a Special Exception to the property owners to make this use a conforming use in the C District. Prior to that time the facility was non-conforming as manufacturing uses were not permitted uses in the C District. However, manufacturing in the C District by Special Exception was approved by Town vote in 2011 as part of the overall update and revisions to the Zoning Ordinance relative to uses. The proposed location of the mobile office unit was decided upon after a Special Exception request was denied by the Zoning Board of Adjustment that if approved would have located the structure within the northerly side yard setback. The new location meets all zoning requirements for the C District. Additionally, there is no history of significant complaints or violations in the Office files from this use at this location and it is a historical part of the neighborhood. The request before the Planning Board is for a waiver of site plan review (minor) which would normally be required for any new construction less than 600 SF. An "Existing Conditions" plan, prepared by Meridian Land Services dated September 22, 2011, is on file and the plan delineates all areas of operation that have developed over the past decades. The proposed 400 SF mobile office unit is not in reality considered a permanent structure as it is not situated on a permanent foundation. However, the Building Code does classify any structure utilized for occupancy for more than 180 days at a time as a permanent structure. A building permit is required. At the direction of the Community Development Director and the Commercial Building Inspector/Code Enforcement Official, the applicant is seeking a waiver of the full minor site plan process for this mobile unit. Both officials believe that the "Existing Conditions" plan provides sufficient technical detail on this already developed and operational site to adequately locate the mobile unit, and that the impacts from this unit are insignificant. J. Tannariello said this plan had been prepared by Meridian Land Services for the Zoning case and we just had them relocate the trailer.

J. Langdell inquired how long the office trailer has been in the existing position. J. Tannariello replied last July or August to clarify the sequence.

T. Sloan inquired if there would be sanitary facilities within the office structure. J. Tannariello said no, it is a water-free trailer.

K. Bauer read the recommendation from the staff memo dated 4/17/12 asked if the applicant understood the condition. J. Langdell added that the word permanent can be confusing, depending on the source of the regulations and suggested that the language be revised to include some other qualifier. T. Sloan clarified that they would have to bring the entire site into conformance with those regulations and there may be some additional requirements. J. Tannariello said that was fine. A brief discussion on the difference between temporary and permanent ensued. J. Langdell said the dilemma is that they are trying to put a relatively small structure, 400 SF, in an area on a very well-used site that works for them as well as the neighborhood without having to go through a total review of the entire site which can be very costly. J. Tannariello reiterated that he understood.

P. Amato said he is all for this, but noted that the neighbors will be looking at a mobile office unit forever and asked if we're not going to require any landscaping around it. J. Langdell said to put things in context, there is no landscaping at the front of that site now nor has there ever been. J. Tannariello said they are working on it and trying to make it look a little better and cleaning it up. There were two trailers a few years back, but because they were moved, they're not grandfathered and this is now an issue. S. Duncanson said the total site is 6.13 +/- acres.

T. Sloan inquired about the exterior materials. J. Tannariello said it is a T-111 type wood exterior that sits on a

concrete pad and the trailer is tied down to meet the wind regulations. T. Sloan asked if the foundation was in place. J. Tannariello said the concrete slab was there and it goes right up to the fence. There used to be a fence around the slab but we removed it to make a spot for the trailer. T. Sloan said any organization would improve the site, and asked if have they had contemplated some landscaping? J. Tannariello said we just completed the removal of a huge pile of scrap and the big unsightly crane is going. Harold Webster is cleaning up the site and we are planning on putting grass down and adding some landscaping out front. We would like to improve the overall appearance of the manufacturing facility. T. Sloan said it might make his decision a little easier if you proposed to decorate the outside of that slab with some live plant materials, at least between the fence and either side of the office to help ameliorate the manufactured siding along Oak St. J. Tannariello they could plant some arborvitaes on the street side of the fence and he clarified the area.

S. Duncanson inquired where the driveways were. J. Tannariello pointed out the locations of the two driveways on the plan. T. Sloan said they just weren't shown on the plan, but they are there.

J. Langdell inquired about the fence in front and asked if the 400 SF structure would protrude into the driveway area. J. Tannariello said it will go off the pad a little bit, but not in front of the gate. That is a big concern, but due to setbacks we can't go further.

K. Bauer commented that this is a large operation that engenders a lot of stuff and the ZBA looked at it twice. When the ZBA denied the special exception it was because the office was too close to the abutters. This new location satisfies the requirements and it is good to see that you are doing a lot of spiffing up.

J. Langdell read correspondence from an abutter, Sharon Frydlo dated 4/13/12 regarding a large pine tree and her request for this owner clean up the remainder of the tree which came down on her property. Also included were exhibits A through E. J. Tannariello said this was brought to his attention a few weeks ago and we will take care of it. They have to move some stone in order to finish the job, but it is in process.

Chairperson Langdell read the waiver request and opened the discussion for public comment; there being none, the public portion of the meeting was closed.

T. Sloan clarified that this is not just a monetary security we're providing, we are avoiding unjust or excessive costs to ensure the livelihood of the business and that their operations can continue with as small an interference as possible. J. Langdell said the public good is served with the identification that there are plans to do more green work and landscaping. Those are all positives that weigh into the waiver decision.

P. Amato made a motion to grant the waiver with the recommendation from the Staff Memo but revising the language that if ever a building or a building with foundation is constructed on this site, at this location, and the mobile trailer is removed, the owners shall comply with the development regulations relative to site plan requirements as a means to bring the site into conformance with applicable current regulations. After brief discussion regarding the condition, C. Beer seconded and all in favor.

**Richard LaBonte – 1 Nashua St – Map 26, Lot 156;** Public Hearing for compliance with the Nashua and Elm Streets Corridor District for proposed façade renovations.

*Abutters present:*

*John "Yiannis" Vasilopoulos, Owner of Bravo Pizza and Family Fun Center*

Chairperson Langdell recognized:

Dick Labonte, owner

C. Beer made a motion to accept the application. J. Plant seconded and all in favor. S. Wilson read the abutters list into the record. B. Parker verified that the application was complete.

R. Labonte presented conceptual plans dated 4/10/12 and explained his project to construct a second floor on the building for commercial use with a deck. Previously the building did have a second floor but it was removed in the 1980's. The current renovations are being built to handle a second floor and the deck is in place. The

structure has been inspected and approved by Bill McKinney with only a couple of minor things to be done. Dennis LaBombard, the engineer, designed it that way. He hasn't quite nailed down the use yet; possibly a residential/commercial use and will be presented with the building permit application. There are many factors involved; fire coating, egress and occupancy. He would like to see a hotel/conference structure with two bedrooms, two living areas and a full kitchen for short stays. For instance, someone could hold a seminar for out of town executives or for people in transition, coming from out of town for a funeral or moving from one home to another.

J. Langdell asked if this plan pertained just to the second floor. R. Labonte replied yes. The first floor will stay as three retail spots. One current use is for a cupcake shop in the center store, which has been approved by Bill McKinney; we just haven't applied for the building permit for the store itself, but the engineering and the structure is all in place. We are trying to keep the building aesthetically correct which is why he was here tonight. J. Langdell said this request is very similar to the request from Café on the Oval prior to starting that work. The Nashua/Elm Street Overlay District ordinance involves the appearance from the public way and for the façade.

R. Labonte said he tried to mimic some of the Town Hall features with the shed roof, rounded windows, the false gable and the colors. J. Langdell inquired about the smaller door. R. Labonte said that was the original door to the second floor and it is in the process of being engineered for the stairwell to the second floor. We may need to alter that opening for access. He met with Jillian Shedd from the Governor's Commission on Handicap Accessibility, Bill McKinney and Dennis LaBombard to figure out accessibility for the whole building and we've come up with a plan for the first floor. J. Langdell referenced the steps at the entrance of the former Boston Shoe Store and the ramp entrance to the former travel agency. How are those two pieces going to become handicap accessible? R. Labonte said we are engineering a plan with some minor modifications to the ramp inside and will frame that down. We plan to access the shoe store and cupcake shop through the access easement in the alley. There will be a ramp to a door for the hallway to each store. J. Langdell asked if that would change the appearance on the west side. R. Labonte said yes there would be a 42" wide, 22' long ramp on the first floor. That is also in the engineering process. J. Langdell inquired about the bump-out on the west side. R. Labonte said it was part of the original footprint of the building that was built before the Town Hall, which he is following. We put some colonial colors on the building and the upstairs will maintain the blue color and the rounded windows which will give it a nice open feel to enjoy the oval, especially from the deck which will offer a nice area for gatherings. We're trying for a capacity of fifty people or less and that is all in the works. Dennis LaBombard is working in conjunction with Bill Parker, Bill McKinney and Jason Smedick to get everything done properly and get it approved. All is still in the works and he has not actually applied for the building permit yet because he wanted to get input from this Board regarding any obstacles to overcome. J. Langdell said the voters in Milford, not the Planning Board, have passed the ordinances that govern how we want to see our town grow and develop for the future.

K. Bauer said, as someone who has lived here forever and knows some of the history, this is a vast improvement and she is pleased that the plans are moving along. R. Labonte said this has been a lot of work.

P. Amato inquired if there will be a stairway for the deck. R. Labonte said that depends on the occupancy and fire coating. We are getting estimates on sprinklers for the building which would help let up on other egresses from upstairs, so it is a possibility to have stairs coming from the deck. L. Langdell asked about the location. R. Labonte said he has put some thought into it and it would most likely be in the alley; there is no place else to put it. It also depends on what the occupancy will allow. If it is just a residential apartment, then we may not need it but having functions up there may need an additional egress from the second floor.

P. Amato asked about the property line. R. Labonte said we share it, and he is not sure about the location. Y. Vasilopoulos said it is close. P. Amato then asked about the peak part of the roof. R. Labonte said it will be a gabled roof and then a small shed roof and reiterated that he wanted to mimic the Town Hall. P. Amato asked if there was an estimated completion date. R. Labonte replied that he would like to have it complete by the end of summer.

C. Beer inquired about proposed signage and lighting for the three businesses. R. Labonte replied that has not been determined yet but it would comply with the town's regulations. The recessed, downward lighting would be

just for the entry ways just inside the foyer area.

J. Plant asked what the square footage would be on the second floor. R. Labonte said the interior will be 1,200 SF and the deck would be 608 SF, about 1,800 SF total. S. Duncanson asked about the decking that intrudes out over the sidewalk area. R. Labonte stated that he owns four (4') ft into the sidewalk on both sides of the property. J. Langdell clarified that the building was flush with a piece of construction material on the outside of the building. R. Labonte explained that was a 4x4 post engineered to meet current regulations and code for a secure 42" railing. It also involves framing and bolting it to the inside to the building. It is certainly high enough so no one can bump their head. J. Langdell said there is a nice design with the middle door but the guidelines for this district suggest trying to enhance entry ways. Has there been some thought about adding a little more detail to the other doorways and if that would visually break up the large flat wall area along Nashua St. R. Labonte said he had plans just to side the doorways and maybe break up the big wall with some nice signage although he's not familiar with the regulations. It should be addressed and he will give it some consideration. J. Langdell said a few architectural details around the entrances would not only dress it up but it would help people find the individual business entrances.

Chairperson Langdell opened the discussion for public comment.

Y. Vasilopoulos said he has been here for a long time, Bravo Pizza since 1983 and the Playroom since 1995 and he had three main concerns.

- It was really disappointing to have a second floor extension on this building block the view from his properties.
- He tried to focus on the design and the look from South St doesn't blend with the pitch of his building. Anything Mr. Labonte does with that building directly affects both of my properties and I don't know how that blends with the historic district look. R. Labonte said they are not in an historic district. J. Langdell said we don't have an historic district, but we do have a respect for the historic character of the town which is spelled out in the ordinance. Y. Vasilopoulos said before both buildings blended well because they had the same height, the same window shapes and now it is completely different.
- I am also not sure about the legal complications because the alley is deeded as passage way to all three buildings. I don't believe that is for personal usage. Can anyone explain about the joint alleyways? R. Labonte said you use the alleyway for your business also; a garage door and another door. Y. Vasilopoulos said it is not built out into the alley.

J. Langdell said Mr. Amato inquired where the lot lines were between the two buildings and the alleyway earlier and the language of the easement is not in this Board's purview; it is between the property owners of the deeded easement and that can certainly have an impact on what Mr. Labonte can and cannot do. R. Labonte said he has a call in to the previous owner, Chris Chamberlain to get a certified plan and agrees with Yiannis in that we need to look at the easements and all the documents. He'll hire a surveyor if he needs to. Y. Vasilopoulos said Mr. Labonte and I will be able to do the proper research. He is not disputing the exits into the alleyway, but building into the alleyway distorts the purpose and usage of a pass-through alleyway. He will have to change his ways and the looks are disturbing. J. Langdell said from the consideration of being asked tonight to look at the façade and the visual plans, part of these issues are directly pertinent to this discussion. The lot lines, the alley access, and the ramp for ADA compliance are part of our Development Regulations.

J. Langdell asked Mr. Vasilopoulos if the second floor of his building was residential and about the location and height of the windows. Y. Vasilopoulos said it was residential with five windows that are at the same height as the roof of the first floor of the Labonte building.

P. Amato said this Board has not been asked to look at a site plan for this property and at some point something may trigger site plan review although we generally don't see site plans for renovations as long as it stays within the footprint. B. Parker said normally on downtown Oval sub-district properties you don't see site plans because there are no parking or open space requirements and generally what is proposed in Oval sub-district doesn't usually trigger anything that the Board reviews. P. Amato said we are here to look at the façade, similar to the review for Café on the Oval. J. Langdell added that part of that discussion involved the back entrance to that building but it was more of a visual entrance and this is a more complicated situation. P. Amato said he couldn't

remember anyone changing a building so drastically and how it might affect abutters. B. Parker said this is the process that has evolved; this is the first time abutters get to comment on anything and clarified that a site plan would be triggered by changes to the site not changes to the building.

Y. Vasilopoulos brought up Section 6.05.6:D.4 - Building heights. P. Amato stated that .... *wall plane heights shall be "stepped back" to minimize the mass of the structure along the frontage or public way.* T. Sloan asked about the height of the finished building. R. Labonte said it would be about thirty-six (36') ft off the sidewalk and the maximum height was forty (40') but there was an 8 pitch which could be changed. T. Sloan asked about the Bravo Pizza building. Y. Vasilopoulos said thirty-five (35') ft but he wasn't really sure. T. Sloan said the properties are compatible. One of the provisions of the ordinance is to break up flat continuous long blocks and what Mr. Labonte proposed fits with the requirements of the ordinance. That is what is accomplished here, but in a vertical manor. P. Amato said this building has two frontages; Nashua St and South St and two planes. He feels it has been done on the South St side, but is not so sure about the Nashua St side. J. Langdell ended a brief discussion by suggesting that it is broken up with the other architectural elements based on full a full reading of the paragraph, not just the single line in the ordinance.

K. Bauer said if you step back and look at the whole oval area, the context of the Oval is two stories, three stories and the Town Hall. There are very few one-story buildings, if any, like Yiannis's Game Room. One of the objections to expanding this one-story may be because you have this cityscape/townscape of this flat plane and this brings up to more of the feel and look as well as into compliance. I hear your objections as an individual, but this brings the building more in line with the area. The other buildings may be flat on top but they have storefronts with apartments above. Y. Vasilopoulos asked if he could put another two stories over the play area? J. Langdell said that would be a question for your building inspector because it may have more to do with the construction of that building. J. Vasilopoulos said it was a 2 ½ story butcher shop before the Co-op bank. R. Labonte said he is not opposed to putting in some trim or Freeze Boards to break that side up and give it more treatment. This plan was a just a conceptual for tonight's meeting. P. Amato again referenced Café on the Oval and how they finished that off. Architecturally this could look a little better. T. Sloan said Paul raised a good point in that the wall plane height should be adjusted and if that could be accommodated visually, that would be terrific. He also noted that there are some components of the building that were not shown on the plan. J. Langdell asked if Mr. Labonte was planning to leave those details, such as the vertical column, on the building. R. Labonte said that was to give the appearance of a corner board for the second floor to show the start of a new structure. He was under time restraints to get the building weather tight, so some of these details are not complete.

P. Amato said if we're here to look at a plan for the façade of the building, but it is not complete, then we should table this to May for a more complete plan. The Board needs to see how it will look and the final details need to be presented to show how it meets the intent of the ordinance. J. Langdell said some of the suggestions made tonight could be incorporated into the final plan. R. Labonte said he was caught off-guard and thought this was only for discussion; he didn't expect a vote tonight. B. Parker said Mr. Labonte came in good faith to review what he planned to build, in accordance with the ordinance. J. Langdell said he has some great ideas and was very forthcoming with the potential future uses and open to discussing various architectural elements. The ADA compliance along the back side of the building partly affects the appearance from South St so it would be great if Mr. Labonte would come back with a more complete set of plans. R. Labonte said that was his plan; to come back. In response to some of Yiannis's comments, there are parts of the foundation that do intrude into the alley, four (4') ft further than the handicap ramp. T. Sloan said the deed stands by itself, whatever the access stated in that deed is what it is. To put you at ease, you have accomplished what you came here to do, so the Planning Board was misinformed, not you. P. Amato said he wanted to be very clear that if you come here with a plan with the façade the way you want it and we vote on it, that's the way you are going to build it. It's not a make it up as you go along. R. Labonte re-stated that this was not the complete plan. T. Sloan asked about the mechanicals. R. Labonte said they were all contained in the basement.

Chairperson Langdell then closed the public portion of the hearing.

T. Sloan made a motion to table the application to the May 15, 2012 meeting. P. Amato seconded. K. Bauer called for discussion and asked Mr. Labonte if he specifically understood all the suggestions discussed tonight and

if he knew what he had to do as this will cost time and money for new drawings. R. Labonte replied yes; his goal was to take all the suggestions and incorporate them into the final plan.

Chairperson Langdell called for a vote and all in favor.

Y. Vasilopoulos said it was a good discussion and he learned a lot of new things.

**OTHER BUSINESS:**

Chairperson Langdell recognized:

Ken Clinton, Meridian Land Services, Inc.

Erol Duymazlar, Ducal Development, LLC

K. Clinton distributed revised plans dated 4/13/12 and introduced the potential project on lot 8/52 at the former Hutchinson House, at the junction of Rte 13 and North River Rd. We have completed a preliminary survey of the 4.5 acre lot and there are no wetlands, there is about an 8ft grade change on the site, a barn and a fairly thick row of white pines along the easterly side. Ducal Development, LLC recently purchased the property and after some research decided that the best option is to consider independent senior housing units. Our concept tonight shows twenty-four senior housing units comprised of single and duplex units. The current barn will be split into several units. All of this is subject to change. Currently there is municipal water available from both Rte 13 and North River Rd but no sewer. Erol has spoken with the Water and Sewer Commissioners and there is a verbal agreement of understanding and they are in support of extending the service from Sunset Circle to a point approximately 100ft north of the intersection on North River Rd. There is no design yet, but he referenced a 1970's preliminary design that was never constructed, when the town felt there might be more growth.

The concept is to have two access points off Rte 13 due to the nature and topography of the property. Both roads are State DOT controlled and both access points do meet town fire emergency access requirements. Another possible consideration may be for a paved gated access off North River Rd. Each unit will have a garage and driveway in front. The second page shows proposed one floor living units for single and duplexes to give a sense of scale and size and a sample floor plan. The density on this 4.8 acre parcel could yield a possible 144 bedrooms and we're proposing one third of that overall yield if this property was to be maximized. To accommodate the existing house, our thinking is to keep that as a single family residence on its own lot which will meet the sewer and water requirements. The infrastructure and drainage have not been designed yet but we have reserved two areas to be considered. One of the aspects of senior housing is for some level of recreation for the inhabitants. Our target demographics is the 55+ age group as opposed to congregate care or assisted living. At this time, for recreation we're showing the use of a trail or bike path toward North River Rd and near the detention pond. We're targeting a rain garden with high bush blueberries and other wetland plant species. Adjacent to that might possibly be community gardens and an outside area to sit and congregate. A trail might potentially have a crosswalk to connect the residents to the public sidewalk on North River Rd that connects them to the ball fields, the health facility or access to the downtown walking opportunities; the Amato Center, the drug store and convenience store.

We would like comment and input on the following items.

- Given the likely nature of the inhabitants, the limited density of this site and unit numbers as well as the cost to maintain that, it is our desire not to provide an ancillary, common building that can be used for inside recreation.
- The required 30% open space is likely to be conveyed in a condominium sense so that the land would stay common to all. Should it be one large contiguous area or is it reasonable to have spread about?
- The regulations state that "sidewalks and/or suitable walkways" be provided and since there are no through roads that will be very controlled, it is our opinion that suitable walkways would be off road to allow movement throughout the property and especially off the property to the more public sidewalk system.

Chairperson opened the discussion to the Board.

S. Duncanson said he was dead set against this proposal; it doesn't fit the character of the neighborhood.



J. Plant said it is important to have a common building. It is pertinent to this type of development. It gives the residents a place to gather, it is a useable space for personal functions. She would also like to see internal sidewalks.

C. Beer inquired why there would be a dead-end and this was not joining to North River Rd. K. Clinton said it is strictly from a traffic standpoint. This intersection is sort of a roll-thru by some people coming down Rte 13 and they might use as this a cut-through to access North River Rd; it clearly does not meet that design. The sight distance is marginal and it could not be attained with the higher state standards without affecting the direct abutter. It makes sense from an emergency standpoint, but not for full access.

T. Sloan asked how many units. K. Clinton said the range would be from 20-25 units, dependent on the drainage and sewer. T. Sloan said he questions as to whether this fits into the character of the area. From a sidewalk standpoint with it terminating, and not going through the circle, it allows access to the site without having to worry about sidewalks. Sidewalks were intended more for exterior streets and there is not one on Rte 13. K. Clinton said the sidewalk extends on North River Rd up to the town park. T. Sloan said they would not necessarily be warranted in a dedicated development with limited access. K. Clinton said the roads would be private and privately maintained. J. Langdell said a sidewalk on Mont Vernon is an idea that would give access to the corner and a possible crosswalk. K. Clinton said all this would be subject to DOT approval. T. Sloan said there should be some facilities due the occupants of these buildings; an internal place for meetings or to play bridge. It is a consideration to be made. He then inquired about the parking requirements. K. Bauer said one spot per bedroom. K. Clinton verified that they were not allowed to count the garage and that Bill Parker did remind us that we needed additional parking per the regulations. This is still conceptual, but we are comfortable that we can fit the minimum spaces for each unit as well as the additional parking requirements of one per every four bedrooms. J. Langdell read section 7.07.4:K, *On-site Parking*. T. Sloan said the open space should be calculated on the entirety of acreage. K. Clinton said that would be roughly 1.5 acres. T. Sloan said we have preferences and would like to see it more contiguous, but 30% open space is 30% open space. K. Clinton said the minimum distance shown between buildings is 25' where the regulation allows for 20' so we kept a little more separation but there could be a trade-off.

P. Amato asked how many square feet were on the house lot. K. Clinton said it is oversized for the 15,000SF minimum serviced by water and sewer. P. Amato asked about the density for the project. K. Clinton said that is not a concern for the 20-25 units. P. Amato brought up livability and keeping a ½ acre lot with the house. P. Amato asked about the interior private road widths. K. Clinton replied 22' paved as a target but this is still at the conceptual level. P. Amato said with the significant interior roads, people would walk on the roads and you wouldn't have to put in a delineated sidewalk but having a path area off the road is fine also. He also agrees with Steve in that he is having a hard time with this fitting around a house that's been there for 200 years.

J. Langdell said this is Residence A, so should this plan move forward, you would need a special exception for senior housing to be developed in this district and there is another level that this project would have to go through to see if it fit.

K. Bauer inquired about the two accesses on Mont Vernon St. She has concerns because it is heavily travelled and even one will create some problems. She does understand it from the convenience of the people living here, though. What is the square footage of the single and two-bedroom units? E. Duymazlar said right around 1,000 SF which has seemed to work well in the past. K. Bauer referenced section 7.07.4:C *Minimum Unit Size* of the Zoning Ordinance stating that senior housing requirements for a one bedroom were 540 SF and two bedrooms were 740 SF. J. Langdell said that was the minimum size only; there is no maximum. K. Bauer said she walks a lot and would not want to use the same street where people are using their autos and bicycles on. Sidewalks are important internally and externally. Would the sewer line be run at your own cost? E. Duymazlar said absolutely, that is why we talked with the Commissioners and they are interested in us absorbing that expense. K. Bauer asked about the 30ft setbacks. K. Clinton said the revised plan shows them. K. Bauer asked where the outdoor area might be. K. Clinton said we chose the area because due to the consideration of drainage infiltrating into a rain garden, it is very shallow and as an offset of that we could put some benches and picnic area in as well as some areas for the residents to cultivate. J. Langdell asked how they would manage that area. K. Clinton said through specific maintenance and condo association plans. We could discuss this further as we move forward. J.

Langdell asked if they could separate the rain garden from the outdoor area. E. Duymazlar said we want things to look nice and to fit the character of the area so we would consider that. He then referenced the Village at Peacock Brook in Amherst and said they focused a lot on landscaping and we have particular covenants and restrictions written in to the condominium documents that kind of address some of these things and operationally it has worked really well. That development was done under the affordable housing ordinance and it is not age restricted. Most of our buyers were over 55, so we see a need for this type of development and that need drives what we try to do with a particular property.

J. Langdell inquired about the price point. E. Duymazlar said it would be based on the cost of the infrastructure and what it would take to get there, but we're looking at around \$200,000 on the higher end. K. Bauer inquired about access to the recreation area/rain garden and asked if it would go through people's yards? K. Clinton said there would be walkways and defined paths. J. Langdell commented that if there were a sidewalk on North River Rd, you could walk from the back access area down the sidewalk and get there too. K. Clinton said they wouldn't recommend a crosswalk at that location. E. Duymazlar referenced Peacock Brook and said there are no sidewalks there and really not even any paths, everyone walks on the roads, which they can do because it is self-contained. This would be the same, you wouldn't have through traffic. The majority of the open space is wooded land with a small green in the area that abuts Peacock Brook and is located on the back side surrounding the property.

P. Amato asked about the spare room/bedroom on the conceptual floor plan? E. Duymazlar said on that layout, it could be a two bedroom or used as a den or office. From a sales standpoint there would be specific bedroom designations. The idea would be to have a variety of options with one and two bedroom units. This hasn't been designed yet, because if you were not receptive about this, and I'm hearing enough things to be concerned, we didn't want to go through the expense.

J. Langdell if the intention was to include handicap accessible features. E. Duymazlar said normally he doesn't do that across the board, he could conceivably build a couple fully accessible from the start, but not the entire site. J. Langdell brought up one of the past challenges of selling units at an existing high-rise, senior development in town; that the units were not accessible. J. Plant said that was always an issue selling the "elderly housing" scenario and a discussion on the needs of the elderly followed. E. Duymazlar said from design standpoint, we've been trying to make all our homes universally accessible, so we set up for future conformance with handicap accessibility; all doorways will be 3ft wide and the thresholds will be limited. A site like this with special exception could handle 130 bedrooms and smaller sites, seems to attract this sort of development that ends up being three-story buildings with elevators. We don't want to go with the dense use of the property; we want a smaller scale that gives folks the open space right alongside of them and we didn't see a lot of that in Milford. There is not a lot of 55+, detached single family homes. He referenced the Reserve but said it's targeted, not age restricted. J. Langdell listed the existing 55+ communities; Cahill Place, Nottingham Place, and Ledgewood with a combination of single and multi-unit floor plans. E. Duymazlar said this case would be more in scale with the neighborhoods around the oval from the size and scale and we do want to preserve the existing home. We've crafted a plan to do that, but would also be amenable to incorporating the house into the overall site plan.

J. Langdell brought up the recreation facilities and said the residents of Ledgewood do use the indoor community room. It is available for use by all residents and they don't have a problem maintaining it. J. Plant referenced Nottingham Place that has a separate facility for the common area. E. Duymazlar said he is not opposed to building one but the challenge is building one with this small a development. B. Parker said Ledgewood has one condo-sized detached recreation unit for 90 condos, not counting the assisted living. E. Duymazlar said it could make sense to carve out a unit-sized piece of the barn for a facility but that affects the units selling price and the association fees; there is an economic threshold that has to make sense. This is one quarter the size of Ledgewood and it would be spread over 25 units instead of 90 units. J. Langdell said the point of designing senior housing with additional amenities was to try to meet the needs of the anticipated buyers. Discussion on the history of age requirements and the ordinance followed. P. Amato said the point was, that if we're going to give you increased density; you would give something back to make the life of the community better. In this case, you have that nice barn and there is an opportunity to add value to the whole development. E. Duymazlar reiterated that he is not opposed but just wonders if it is necessary. In this zone, with five units to an acre, on water and sewer, we're not asking for the maximum density that could be requested under the senior housing ordinance; however, he does see the point. Would the Board be more receptive if we included an interior common area? P. Amato said he can't

answer that. K. Bauer said this is a community and a common area is essential for those residents, even if it's just a place for condo meetings, or booking it for a bridge group. J. Plant said it's a place for the residents to get together as a group that way they don't have to meet in somebody's home.

K. Bauer said since the barn is not going with the house; would somebody purchase the historic brick house without a garage? E. Duymazlar clarified that there is a garage that stays with the house. The barn was an accessory building. K. Bauer said there is a good chance that there will be two cars even with a one-bedroom unit and possibly more with two bedroom units. If I'm fit and well and don't want to walk on private streets, what about when I would need a walker or wheelchair, traffic is a big issue.

K. Bauer then asked the applicant to defend the two accesses on Mont Vernon St. K. Clinton explained that we already have preliminary approval from DOT. We met on-site with the state permitting engineer and he said both entrances and locations are fine. K. Bauer then asked for defense on a more personal level. E. Duymazlar referenced the single outlet at Peacock Place. Rte 122 is a fairly busy road and it has served the community well. They are not opposed to only one exit, but things flow better and he always defers to what the Fire Department wants. K. Clinton added that often multiple access points are dictated. We did try to be proactive which is why we met with DOT. We haven't discussed these access points with emergency personnel yet as it is still premature, but this is a technical argument that we have to address. K. Bauer said the DOT engineer is a professional, but he doesn't live in Milford and he doesn't know the situation on Rte 13. Even one access will be a problem. From a development perspective, two will work well for the convenience of the residents, but from a public standpoint, there might be pushback. B. Parker said there are no restrictions in the regulations regarding the number of access points. K. Clinton said he understands the concerns and stated this is conceptual at this time. P. Amato added that eliminating one access might make some of the units more attractive with additional privacy. K. Bauer said this will need to go before the ZBA and the five criteria for a special exception will have to be addressed. She has reservations with two; that the specific site is an appropriate location for the proposed use and that the use as developed will not affect the adjacent area. This is very, very dense for Residence A. You will have to show that there will be no nuisance to traffic and pedestrians so you will get into discussion about the traffic. There are some strong reservations about the appropriateness about this project in the Residence A district; it is overdone for the area. J. Langdell asked if it was this project, in this location, which happens to be in Residence A. P. Amato said he is not opposed to what this developer is trying to do and a brief discussion on economics versus quality of living followed. If the developer presents a plan and meets the ordinance we can't say no, although we may not like it. J. Langdell said we're bound by the ordinance and the regulations and the best we can do is to negotiate the details and tradeoffs to make it more palatable.

E. Duymazlar said he's heard a few comments regarding character and asked for some elaboration. S. Duncanson said both roads are heavily travelled; 7,000-8,000 cars per day and sometimes the residents on Mont Vernon St have to wait ten to fifteen minutes to get out of their driveway. This will now add 50-75 cars of older people and there will be more ambulance and more police calls. He can see kids cutting through there and this doesn't fit architecturally with the buildings in the area. Three people on Mont Vernon Rd are dead set against it. J. Langdell said in fairness to the applicant, Steve lives on Mont Vernon Rd. S. Duncanson said he lives at 94 Mont Vernon Rd and the neighbors at 102 and 108 don't like this proposal. P. Amato noted that this house was on the market for a long time and his issue is with the aesthetics of this house on this lot with the horse and pasture, but he didn't buy it. J. Langdell said our job is to take the ordinances and the regulations and what the applicant comes with, not our personal opinions and what is there in black and white and move forward. K. Bauer said it is totally irrelevant that this house was for sale for a long time. Do we need more senior housing; we have several in town and this all gets back to the ZBA. J. Langdell said one of the long standing Planning Board goals is discuss housing, senior housing and density, but not in relation to this application. B. Parker mentioned the 55+ Belmont development with twelve units with an original house being part of the project.

J. Langdell said the traffic density is higher at this location than at Rte 122. K. Clinton said they will have to present traffic analysis to the DOT; counts and trips per day. The volumes will be factual based using a window over a large period of time, including historical trends. We will have to determine if the number of trips per day will impact the level of service on any given road to such a degree that off-site improvements will have to occur or will the driveways just be denied. J. Langdell we will be looking forward to seeing that data.

S. Duncanson said this is a gateway and that density is not appropriate for a gateway area. P. Amato asked if self-storage or other uses were more appropriate but possibly more detrimental. This development could be shielded with trees. J. Langdell said that there are many mature pines that currently shield the lot and T. Sloan said he wouldn't want them there for fear of the trees falling on his house. K. Bauer asked if the pines were left in the design. E. Duymazlar said they typically hire a professional to create the buffers for the neighborhood and the homes. If we took something down, we would likely replace it. K. Clinton said a licensed forester would be consulted to follow best management practices. E. Duymazlar said we tend to be sensitive to the abutters and the neighborhood. J. Langdell read *Section 7.07.4:G Buffers*.

K. Bauer inquired about the definition of open space. B. Parker said it is traditionally 30% and there would be some designated area for the open space. P. Amato said these are condos and the residents may consider the open space as side yards. He is just not sure how to determine 30% open space. K. Clinton explained the limited common area and as a condo owner you would have exclusive use of that limited area which is not included in the open space. It gives individual buffer and can be done many ways; possibly a 10' line around the condo or 5' in front or rear. People use the side yards less and so those widths are narrower. The driveway and patio are used more and should not be included in 30% calculations. J. Langdell referenced previous discussions on open space and said the Board prefers larger open areas as opposed to narrow bands pieced together. K. Bauer referenced the Riverlea Ext development and said there is a whole area for the residents to use or walk by the river. P. Amato said if he lived here and were walking his dog, he'd have to walk with a bag. J. Langdell said we get the point.

K. Bauer said North River Rd is a gateway to a rural, beautiful, agricultural area of town going from extremely dense, which is legal, to playing fields, single family housing and agricultural fields. This would be a drastic change. J. Langdell asked about the density of Sunset Circle. B. Parker said they were 15,000 SF lots, three per acre.

Chairperson Langdell opened discussion to the audience.

M. Ohlson asked if this would be the best location for the crosswalk, as was said in your omission, that people take that turn quickly on Mont Vernon Rd. K. Clinton said it may be the best location because of the stop condition for the traffic coming down Mont Vernon Rd and as long as there is enough sight distance; however, the ultimate determination will come from the DOT. M. Ohlson asked if you're not doing sidewalks might it be a good idea to extend some of the trails more into the other areas of the property. K. Clinton said there would be extended trails. M. Ohlson said rain gardens are usually located more at the source and inquired how the drainage will flow. K. Clinton said it would be a partially closed system.

E. Duymazlar listed a few other projects that were of a similar sense of scale that showed our sensitivity to creating neighborhoods: Chandler Crossing in Amherst, Sky Meadow in Nashua, and Peacock Brook in Amherst.

K. Clinton said their next step would be to bring in plans.

T. Sloan made a motion to adjourn the meeting at 9:25PM. J. Plant seconded and all in favor.

**MINUTES OF THE APR 17, 2012 PLANNING BOARD PUBLIC HEARING APPROVED MAY 15, 2012**